



Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) citation	1VAC20-70-30
Regulation title	Material Omissions from Federal Write-In Absentee Ballots
Action title	Board regulation detailing what errors or omissions on a Federal Write-In Absentee Ballot must render the ballot invalid.
Final agency action date	1/12/2011, effective when precleared
Document preparation date	1/14/2011

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

This regulation adopted by the Board defines what errors and omissions must be considered material and those that are not for Federal Write-In Absentee Ballots (FWABs). 2010 legislation expanded the scope of FWABs that have increased in use through Virginia's participation in a web based application sponsored by the Federal Voting Assistance Plan (FVAP). This regulation replaces State Board of Elections Policy 2008-012, Use of Federal Write-In Absentee Ballot.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The State Board Elections at its meeting on January 12, 2011, approved the regulation titled Material Omissions from Federal Write-In Absentee Ballots and directed that the regulation be submitted for preclearance as required by § 5 of the Voting Rights Act before the regulation takes effect.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

None.